

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JAMES RENFRO,	)	
	)	
Plaintiff	)	
	)	
v.	)	NO. 3:11-0860
	)	Judge Sharp/Bryant
SONYA TROUTT, <i>et al.</i> ,	)	Jury Demand
	)	
Defendants	)	

TO: THE HONORABLE KEVIN H. SHARP

REPORT AND RECOMMENDATION

Defendants have filed their motion to dismiss this case for failure to prosecute (Docket Entry No. 97). Plaintiff Renfro, who is proceeding *pro se*, has filed a response entitled "Motion to Strike Defendants Motion to Dismiss for Failure to Prosecute and Motion for Appointed Counsel and This Matter be Reset for Later Date" (Docket Entry No. 100). In this filing, Plaintiff Renfro states that he does wish to prosecute this case, but that he lacks legal assistance and does not know "what to do next." He also seeks Court-appointed counsel. Finally, he asks that the trial of his case be reset for a later date.

Given the liberal standards with which the Court is obligated to regard *pro se* litigants, the undersigned Magistrate Judge recommends that Plaintiff's motion to dismiss for lack of prosecution be DENIED without prejudice to file a similar motion later, and that the trial of this case be reset on a future date available on the Court's trial docket.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

**ENTER** this 5<sup>th</sup> day of July, 2013.

s/ John S. Bryant  
JOHN S. BRYANT  
United States Magistrate Judge